

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonIn the Matter of the Tracking of
(Identify the person to be tracked or describe
the object or property to be used for tracking)A 2019 Toyota Tacoma, Washington license plate
C88437V, and a 2011 BMW 335, Washington license
plate CAK1127, more fully described in Attachment A

Case No. MJ22-115

APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of

21 U.S.C. §§ 841 & 846

. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

☒ The person, property, or object is located in this district.☐ The activity in this district relates to domestic or international terrorism.☐ The person, property, or object is not now located in this district, but will be at the time of execution.☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

☒ evidence of a crime;☒ contraband, fruits of crime, or other items illegally possessed;☒ property designed for use, intended for use, or used in committing a crime;☐ a person to be arrested or a person who is unlawfully restrained.☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:

A 2019 Toyota Tacoma, Washington license plate C88437V, & a 2011 BMW 335, Washington license plate CAK1127, more fully described in Attachment A

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 06/23/2022) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means ☐ telephonically recorded.

Applicant's signature

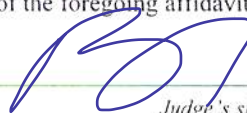
Kenneth Richardson, Special Agent

Applicant's printed name and title

☐ The foregoing affidavit was sworn to before me and signed in my presence, or☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 03/25/2022

City and state: Seattle, Washington



Judge's signature

Brian A. Tsuchida, United States Magistrate Judge

Printed name and title

STATE OF WASHINGTON)
) SS
COUNTY OF WHATCOM)

INTRODUCTION

1. I make this affidavit in support of an Application to obtain tracking warrants for two target vehicles used by ENOC MARTINEZ LOPEZ (“MARTINEZ”), who is being investigated as a leader of a drug trafficking organization, and his associates (collectively, “the Target Vehicles”):

a. **Target Vehicle 1:** a 2019 Toyota Tacoma bearing Washington license plate C88437V (hereinafter, “Target Vehicle 1” or “TV1”). According to the Washington State Department of Licensing (“DOL”), Target Vehicle 1 is registered to MARTINEZ’s wife, ANJELICA J LOPEZ VILLESICA, at 1628 North 26th Street, Apartment 205 in Mount Vernon, Washington. Investigators believe that TV1 is being used by MARTINEZ and others to facilitate drug trafficking activities

b. **Target Vehicle 2:** a 2011 BMW 335 bearing Washington license plate CAK1127 (hereinafter, “Target Vehicle 2” or “TV2”). According to the DOL, Target Vehicle 2 is registered to ABIGAIL MARTINEZ LOPEZ, believed to be MARTINEZ’s sister, at 5424 57th Street Court West, Apartment 69, in University Place, Washington. Investigators believe that TV2 is being used by MARTINEZ and others to facilitate drug trafficking activities.

2. Based on the facts set forth in this Affidavit, there is probable cause to believe that violations of Title 21 of the United States Code have been committed, are being committed, and will be committed by MARTINEZ and other members of the MARTINEZ drug trafficking organization. There is also probable cause to believe that

1 TVs 1 and 2 are being used in furtherance of these crimes and that the vehicles
2 whereabouts over time will constitute evidence of those criminal violations. Obtaining
3 the information sought in this Affidavit is necessary to further the investigation into these
4 offenses.

5 AGENT BACKGROUND

6 3. I am a Special Agent with the Drug Enforcement Administration ("DEA"),
7 currently assigned to the Bellingham Resident Office in Bellingham, Washington. I have
8 been employed as a DEA Special Agent since 2009 and am assigned to investigate drug
9 trafficking organizations operating in the Western District of Washington.

10 4. My duties and experience as a Special Agent include the enforcement of
11 federal criminal statutes, including statutes related to drug offenses, firearm offenses,
12 money laundering offenses, and other criminal offenses. As a Special Agent of the DEA,
13 I am authorized by law to conduct investigations, execute search warrants, and make
14 arrests for federal felony offenses.

15 5. I have completed the DEA Basic Agent Training program at the DEA
16 Academy in Quantico, Virginia. I have participated in numerous narcotics investigations
17 at both the local and federal level, and I have participated in the execution of local and
18 federal search warrants. As a result, I have become familiar with methods of operation of
19 drug traffickers and organizations. As a Special Agent with the DEA, I have the
20 responsibility of working with other federal and state law enforcement officers in
21 investigations of violations of federal and state-controlled substance laws, including the
22 trafficking and distribution of cocaine, methamphetamine, heroin, fentanyl, marijuana,
23 and other dangerous drugs.

24 SOURCES OF INFORMATION

25 6. I participated in the investigation described in this affidavit since 2021. I
26 obtained the facts set forth in this affidavit through personal participation in the
27 investigation described below, from oral and written reports of other law enforcement
28 officers, from records, documents and other evidence obtained during this investigation,

1 and from confidential sources and sources of information who are associated with, and
2 knowledgeable about, the subjects of this investigation and their confederates. I have
3 obtained and read official reports prepared by various law enforcement officers
4 participating in this investigation and in the other related investigations by agencies
5 referenced in this affidavit.

6 7. When this affidavit refers to vehicle ownership, either I or other agents¹
7 involved in the investigation reviewed the relevant state vehicle records from the DOL.
8 Similarly, when this affidavit refers to identification documents, either I or other agents
9 involved in the investigation reviewed the relevant driver's license or similar records
10 maintained by DOL. When this affidavit refers to the criminal history of a subject, either
11 I or other agents involved in the investigation reviewed the available criminal history
12 from state or federal agencies. When this affidavit refers to telephone subscription
13 records, either I or other agents involved in the investigation reviewed the subscriber
14 records obtained from the telephone company by administrative subpoena or court order,
15 or I obtained the information from other law enforcement officers familiar with this
16 investigation. When this affidavit refers to beliefs or conclusions of investigators, these
17 beliefs and conclusions are based on the collective training and experience of the agents
18 involved in this investigation.

19 8. Since this affidavit is submitted for the limited purpose of securing
20 authorization for search warrants on the above listed vehicles, I have not included every
21 fact known concerning this investigation. I have set forth the facts that I believe are
22 necessary for a fair determination of probable cause for the requested search warrants.

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24 ///

26 ¹ When I use the term "agents" or "investigators" throughout the affidavit, I am referring to law enforcement
27 personnel, including, but not limited to DEA and HSI agents and task force officers, Skagit County Sheriff's Office
28 Deputies, members of the Skagit County Interlocal Drug Enforcement Unit, as well as personnel associated with
those and other state and federal law enforcement agencies.

SUMMARY OF PROBABLE CAUSE

9. As explained further below, the United States, including the DEA, is conducting a criminal investigation regarding possible violations of 21 U.S.C. 841, 846 in Skagit County, Whatcom County and elsewhere. During the course of the investigation, investigators identified MARTINEZ as a primary source of supply of cocaine. Investigators have surveilled and tracked the Target Vehicles and seen them engage in travel patterns consistent with drug trafficking. Investigators have surveilled the drivers of the Target Vehicles and seen those drivers engage in behavior consistent with drug trafficking. During the course of the investigation, law enforcement officers in California stopped TV1 and recovered three pounds of cocaine. By tracking the Target Vehicles, law enforcement has been able to identify patterns of travel, likely locations where drug sales are occurring, and has identified other drug dealers who appear to be connected to the MARTINEZ organization.

PROBABLE CAUSE

Training and Experience Regarding Drug Trafficking Organization

10. I have interviewed numerous drug dealers, drug users, and knowledgeable confidential sources about the lifestyles, appearances, and habits of drug dealers and users. I have become familiar with the manner in which narcotics traffickers smuggle, package, transport, store, and distribute narcotics, as well as how they collect, conceal, and launder drug proceeds. I am also familiar with the manner in which narcotics traffickers use telephones, cellular telephone technology, internet, telephonic and computer applications, coded communications, slang-filled conversations, false and fictitious identities, and other means to facilitate their illegal activities and mislead law enforcement investigations. I have observed and have had discussions with other law enforcement personnel about the packaging and preparation of narcotics, the methods of illegal narcotics traffickers, and the security measures that narcotics traffickers often employ. I have examined narcotics customers' supplier lists, pay/owe ledgers maintained by traffickers, and other documentation related to narcotics trafficking. I have also

1 examined documentation of various methods by which cocaine, methamphetamine,
2 heroin, fentanyl, marijuana, and other illicit drugs are smuggled, transported, and
3 distributed. I have participated in numerous hours of surveillance of narcotics traffickers.
4 During surveillance, I have personally observed narcotics transactions, counter
5 surveillance techniques, and the ways in which narcotics traffickers conduct clandestine
6 meetings. Acting in an undercover capacity, I have acquired dangerous drugs from drug
7 traffickers and learned about methods in thwarting law enforcement officers while
8 trafficking drugs. I have participated in numerous investigations involving the
9 interception of wire and electronic communications. I have been involved with the
10 review and decoding of veiled intercepted conversations between narcotics traffickers
11 that were subsequently substantiated. Throughout my career in law enforcement, I have
12 received training from, worked with, spoken with, and gleaned knowledge from several
13 experienced federal, state, local, and international narcotics officers concerning the use of
14 cell phones and mobile applications by drug traffickers to facilitate drug trafficking.
15 Based on that training and experience, and my communication with other law
16 enforcement officers, I know the following:

17 a. Drug trafficking conspiracies usually take place over several months
18 or years, and continue to operate even when enforcement activity results in arrests and/or
19 seizers of drugs and/or money;

20 b. Persons involved in the distribution of controlled substances
21 typically will obtain and distribute drugs on a regular basis, much as a distributor of a
22 legal commodity would purchase stock for sale. Similarly, such drug dealers will
23 maintain an inventory which may fluctuate in size depending on the demand for and
24 available supply of the product.

25 c. Those involved in the distribution of illicit drugs often travel by car
26 in connection with their illegal activities in order to meet with coconspirators, conduct
27 drug transactions, or to transport drugs or drug proceeds.

28 ///

SCIDEU Begins Investigating the MARTINEZ DTO

11. Investigators from the Skagit County Interlocal Drug Enforcement Unit (“SCIDEU”) began investigating the MARTINEZ organization in early 2021. Skagit County detectives learned that MARTINEZ is a source of supply for kilogram-quantities of cocaine throughout northwestern Washington. As detectives conducted surveillance, they learned that MARTINEZ was connected with known mid-level cocaine traffickers. By mid-2021, detectives concluded that MARTINEZ was associated with approximately 15 known drug traffickers, including the following:

a. Skagit County detectives learned through surveillance, Confidential Source (“CS-1”)² information, phone toll analysis, and Snapchat communications that MARTINEZ was in communication with an individual named RAUL CASTRO SALGADO (“CASTRO SALGADO”). In August 2019, investigators from the Federal Bureau of Investigation Safe Trails Task Force informed detectives that CASTRO SALGADO was a drug supplier on the Upper Skagit Indian Reservation.

b. Investigator learned through CS-1 information, surveillance, and tracking data that MARTINEZ is in contact with an individual named FERNANDO ESPINOZA, a known drug dealer. In September 2021, detectives learned that ESPINOZA had been discussing cocaine purities with another individual over text messaging. CS-1 had previously informed detectives that MARTINEZ and ESPINOZA were associates and frequently visited each other’s residences. Detectives learned from CS-1 that ESPINOZA uses the alias “Bill,” works at a convenience store, and drives a white Mitsubishi Sport Utility Vehicle. Conducting surveillance on September 29, 2021, DEA agents located ESPINOZA’s white Mitsubishi SUV bearing Washington license plate AYJ9664 (“the Mitsubishi”), which was parked at a gas pump several blocks from

² CS-1 began working with Skagit County in mid-2020 and continues to work to this day. CS-1 is a self-admitted drug user and former drug dealer who is working in exchange for consideration related to uncharged conduct involving drug distribution. CS-1 has provided credible and reliable information that has been subsequently corroborated by law enforcement in this and other investigations. CS-1 has no criminal history.

1 his residence. Agents looked at an arrest photograph and DOL photograph of
2 ESPINOZA and compared it to the individual driving the Mitsubishi and concluded that
3 the person driving the Mitsubishi was ESPINOZA. While the Mitsubishi was parked at
4 the gas pumps, a white Honda Civic bearing Washington license plate BFM4861 (“the
5 Honda Civic”) arrived and parked directly behind the Mitsubishi. ESPINOZA walked to
6 and entered the front passenger seat of the Honda. After approximately five minutes,
7 ESPINOZA left the Honda and went back to the Mitsubishi. ESPINOZA then pumped
8 gas into his SUV. After ESPINOZA left the Honda Civic, it departed without any
9 occupants leaving the vehicle either to pump gas or retrieve anything from the
10 convenience store. GPS trackers were installed on vehicles used by MARTINEZ under
11 authorization from the Skagit County Superior Court of Washington, including TV1 and
12 TV2. Historical tracking data indicated that MARTINEZ had gone to ESPINOZA’s
13 residence, located at 1820 E Section in Mount Vernon, Washington (“ESPINOZA’s
14 house”). Recent surveillance conducted by DEA confirmed that MARTINEZ was at
15 ESPINOZA’s house on January 31, 2022.

16 c. Detectives connected MARTINEZ to an individual named ROBERT
17 MAINE ABELL, a known cocaine and methamphetamine dealer. In June 2021, Skagit
18 County detectives monitored a GPS tracker affixed to MARTINEZ’s Toyota Tacoma
19 bearing Washington license plate C88437V (“TV1”) and requested surveillance from
20 Whatcom County detectives as it arrived and parked a hotel in Bellingham. Detectives
21 watched MARTINEZ walk from TV1 to the hotel holding a bag before returning to TV1
22 a few minutes later. Afterwards, detectives saw ABELL leave the same hotel and drive
23 away in his vehicle. Officers conducted a traffic stop of ABELL and served a State of
24 Washington search warrant on ABELL’s hotel room. During the search, detectives
25 located two ounces of cocaine and approximately one pound of crystal
26 methamphetamine. Detectives also located a large gallon-sized zipper bag with white
27 powder residue inside as well as several smaller quantity ounce-size bags, all consistent
28

1 with breaking down cocaine and meth into smaller amounts for distribution. Detectives
2 believed that ABELL had just purchased the drugs from MARTINEZ.

3 *Cocaine Recovered from Target Vehicle 1 during Traffic Stop in California*

4 12. During summer of 2021, Skagit detectives installed a court-authorized GPS
5 tracker on TV1. During surveillance, detectives saw MARTINEZ driving to addresses of
6 known drug traffickers. In August 2021, detectives were alerted that TV1 had travelled
7 south to California. Detectives believed that MARTINEZ arranged for another person to
8 drive TV1 to pick up drugs or to drop off money in California. TV1 traveled to the El
9 Monte area of Los Angeles before beginning to drive northbound. Law enforcement
10 officers from Manteca, California, at the request of Homeland Security Investigations
11 (“HSI”), stopped TV1 in Manteca. The driver of TV1 provided a false identity, though
12 officers later learned through fingerprint records that the driver was SANTIAGO
13 ROBLES TEJADA. A narcotics K9 was on scene and alerted to the presence of a
14 controlled substance in TV1. Officers searched TV1 and located and seized
15 approximately three pounds of cocaine that was vacuumed-sealed and wrapped in duct
16 tape and layers of grease and plastic. The Manteca officers also conducted a search
17 warrant on ROBLES TEJADA’S cell phone. Investigators found Spanish language text
18 messages indicating that ROBLES TEJADA was in contact with phone number 360-488-
19 6007. Subscriber records from T-Mobile indicated that, at the time of the text messages,
20 phone number 360-488-6007 was subscribed to ENOC MARTINEZ at 1628 N 26th
21 Street, Apartment 205, in Mount Vernon, Washington. In addition, ROBLES TEJADA
22 was also texting a contact listed as QUINTERO on phone number 206-880-8763. The
23 two had numerous text messages appearing to use coded language to discuss drug
24 quantity and pricing. After the traffic stop, detectives learned that the registered owner of
25 TV1, Anjelica VILLESICA LOPEZ, wife of MARTINEZ, retrieved TV1 from Manteca
26 police. Shortly thereafter, detectives saw TV1 parked in the Skagit Valley College public
27 parking lot directly across the street from MARTINEZ’s apartment. Not long after,
28 MARTINEZ began to drive the Tacoma and resumed his regular meetings with known

1 drug traffickers. Skagit County detectives again requested GPS tracking warrants to
2 monitor this vehicle and other vehicles operated by MARTINEZ.

3 *CS-2 Identifies MARTINEZ with TV1 at a House with Large Quantities of Drugs*

4 13. In December 2021, agents interviewed a Bureau of Indian Affairs “BIA”
5 CS (“CS-2”)³ regarding drug trafficking activities of an individual named MARC
6 OREIRO (“OREIRO”). CS-2 informed agents that he/she saw a Hispanic male at
7 OREIRO’s house on or about November 27, 2021. Agents showed CS-2 a DOL
8 photograph of MARTINEZ and a picture of TV1. After reviewing the photographs, CS-
9 2 confirmed that TV1 and MARTINEZ were the individual and vehicle the CS had seen
10 at OREIRO’s house. Agents reviewed the tracker information for TV1 and confirmed
11 TV1 had previously visited OREIRO’s residence on multiple occasions in the fall of
12 2021, including on November 27. CS-2 also stated that while at OREIRO’s house on
13 November 27, he/she observed what appeared to be three gallon-sized zippered bags of
14 crystal methamphetamine, three smaller ounce-size bags of cocaine, and several bags of
15 pills.

16 *During Surveillance, Agents See MARTINEZ in TV1 Engaging in Behavior Consistent*
17 *with Drug Dealing*

18 14. On January 12, 2022, while conducting surveillance of TV1, agents
19 watched TV1 arrive and briefly park behind a white Subaru station wagon. The driver of
20 the Subaru, later identified as RYAN TOLLIVER, walked to the passenger side of TV1,
21 retrieved something from inside the cab, and walked back to the Subaru. TV1 left the
22 parking lot and went back to MARTINEZ’s apartment. On the next day, January 13,
23 agents were again positioned in the same parking area. The Subaru again arrived and
24 parked in the lot, with the driver remaining inside the vehicle. Shortly thereafter, TV1

25
26
27 ³ CS-2 began working for the BIA in October 2021 and continues to work to this day. CS-2 is working in exchange
28 for money. CS-2 has provided credible and reliable information that has been subsequently corroborated by law
enforcement. CS-2 has convictions for misdemeanor DUI (1996); misdemeanor domestic violence (1998); felony
burglary (1998); felony theft (2000); misdemeanor theft (2007).

1 arrived and briefly park behind the same white Subaru station wagon. This time, agents
2 could see inside the cab of TV1 and noted that MARTINEZ was driving. TOLLIVER
3 walked from his Subaru to the passenger side of TV1 and retrieved something from the
4 passenger seat while MARTINEZ remained at the driver's side. TOLLIVER put that
5 item in his left front pocket and returned to his Subaru. TV1 returned to park in front of
6 MARTINEZ's apartment. HSI agents watched as MARTINEZ left TV1 and walked up
7 the stairs towards his apartment. These short meetings between MARTINEZ and
8 TOLLIVER are consistent with meeting to transfer controlled substances in public areas.

9 15. On January 29, 2022, agents were again conducting surveillance of the
10 MARTINEZ. Agents followed MARTINEZ to ESPINOZA's house. When MARTINEZ
11 LOPEZ left ESPINOZA's house, agents loosely followed TV1, but remained several
12 minutes behind in an attempt to avoid counter-surveillance. Agents eventually found
13 TV1 at a Chevron gas station at 2323 E Section in Mount Vernon, the same gas station
14 where ESPINOZA briefly met with the driver of a Honda Civic in September 2021.
15 While at the gas station, a young person wearing a red hoodie sweatshirt exited the
16 passenger door of TV1 and entered the passenger side of a gray KIA compact sedan, and
17 shortly thereafter the KIA left the Chevron with the person in the red hoodie as a
18 passenger. MARTINEZ then drove to a Skagit County landfill and recycling station, to
19 other businesses, and then returned to ESPINOZA's residence. The short duration of the
20 unknown person entering TV1's passenger side and then exiting and leaving the lot
21 without any of the parties going into one of the businesses at the Chevron's convenience
22 store center is consistent with meeting to transfer controlled substances in public areas.

23 *Social Media Connects MARTINEZ to TV2*

24 16. In October 2021, detectives were monitoring MARTINEZ on social media
25 outlets. During an Instagram post, MARTINEZ appeared to be in downtown Seattle and
26 detectives could see the vehicle's interior dash. The dash had markings used by BMW,
27 leading detectives to believe that MARTINEZ was in a BMW. In November 2021,
28 MARTINEZ posted on Instagram about getting both of his cars detailed, showing a

1 photograph of both TV1 and TV2. As stated above, TV2 is registered to “Abigail
2 MARTINEZ LOPEZ,” who detectives conclude is likely MARTINEZ’s sister. Skagit
3 detectives, along with DEA and HSI agents, began to conduct surveillance of TV2.

4 *Agents See TV2 Drive to ABELL’s Residence in Bellingham*

5 17. On January 12, 2022, agents observed TV2 parked in the driving lane
6 directly in front of the stairwell leading to MARTINEZ’s apartment at 1628 North 26th
7 Street in Mount Vernon. Later that morning, agents observed TV2 travelling to a mobile
8 home park at 1400 North 30th Street in Mount Vernon. Agents followed TV2 from the
9 mobile home park back to the public parking area at Skagit Valley College, parking next
10 to TV1, and noted that TV2 was now occupied by multiple people, including a front
11 passenger wearing a baseball cap. From there, TV2 left the parking lot and TV1 went to
12 MARTINEZ’s apartment building. Agents believed that MARTINEZ had driven TV2 to
13 the mobile home park, picked up a criminal associate, then drove back to the public
14 parking lot. MARTINEZ then drove TV1 to his apartment while the driver of TV2 began
15 to engage in movement patterns consistent with the delivery of controlled substances.
16 From there, agents watched TV2 as it drove around Mount Vernon and then drove
17 approximately 30 miles north to the Morning Glory Motel at 3750 Meridian Street in
18 Bellingham, Washington. TV2 parked on the west-side of the parking lot. Previously,
19 agents had learned that ABELL lived at room #101 at the Morning Glory Motel. No
20 agents were able to observe the occupants of TV2 meeting with anyone from the Morning
21 Glory Motel, however, shortly thereafter TV2 departed the Morning Glory Hotel and
22 drove approximately 30 miles south back to Mount Vernon. Detectives were positioned
23 in Mount Vernon and captured a photograph of the driver, described as a Hispanic male
24 adult wearing a baseball cap.

25 *TV2 Drives to the Residence of a Known Drug Trafficker*

26 18. On January 25, 2022, agents established surveillance of TV2 and followed
27 it to a rural area on the Lummi Reservation. At that time, agents knew that TV2 had
28 previously visited an address associated with RAYMOND RIDLEY, a known drug

1 trafficker, near 3655 Lummi Shore Drive in Bellingham. Agents followed TV2 until it
2 was near the entrance of 3655 Lummi Shore Drive, at which time they were unable to
3 continue following TV2 without alerting the driver of TV2 or RIDLEY of their presence.
4 Agents notified the Lummi Police Department about the vehicle arriving at RIDLEY's
5 residence. At that time, Lummi Police Department officers were conducting routine
6 speed checks on Lummi Shore Drive. Shortly after being notified of TV2's arrival near
7 RIDLEY's property, officers saw TV2 driving northbound along Lummi Shore Drive,
8 measured the speed of TV2, and determined that it was speeding. Lummi PD officers
9 stopped TV2 and the driver provided a Washington State driver's license bearing the
10 name MANUEL GARCIA MUÑOZ and the address 1400 N 30th Street, Trailer 2, in
11 Mount Vernon. This is the same mobile home park where MARTINEZ picked up an
12 unknown male to later drive TV2 on January 12, 2022. Agents compared GARCIA
13 MUÑOZ's driver's license photograph and the body camera screenshot of the driver of
14 TV2 and determined this was the same person with the baseball hat who Skagit detectives
15 photographed driving TV2 on January 12, 2022 after it went to the Morning Glory Motel.

16 19. On January 27, 2022, agents again conducted surveillance of TV2. This
17 time, agents utilized aerial observation in conjunction with ground surveillance. Agents
18 followed TV2 to 3655 Lummi Shore Drive in Bellingham, where aerial observation
19 captured video of the driver of TV2 retrieving something from the trunk of TV2 and
20 handing that item, what appeared to be a clear plastic bag, to a male adult who then
21 walked back to a trailer which had been previously associated with RIDLEY. Agents
22 continued surveillance of TV2 and saw the driver, who they identified as GARCIA
23 MUÑOZ, briefly meet with several people throughout Whatcom and Skagit Counties
24 before returning to a residential property located at 210 South 18th Street, in Mount
25 Vernon.

26 *DEA Installs GPS Tracking Devices*

27 20. On February 11, 2022, the Honorable S. Kate Vaughan issued a warrant
28 authorizing the installation and use of tracking devices on TV1 and TV2. Pursuant to that

1 warrant, trackers were installed shortly thereafter. While monitoring the movement of
 2 the vehicles via the tracking device and in-person surveillance, agents confirmed several
 3 pieces of information valuable to this investigation:

- 4 • Both MARTINEZ and GARCIA MUÑOZ drive TV1;
- 5 • GARCIA MUÑOZ continues to drive TV1 in patterns consistent with a “runner,”
 6 that is, someone making quick visits to deliver or pick up drugs or cash;
- 7 • That TV1 continues to meet with TOLLIVER for short periods of time consistent
 8 with delivering or picking up drugs or cash.
- 9 • SHELIA ROCHELLE JOHNSON and BREZEDDRIC ANTOWYN
 10 JAMERSON, individuals known to be involved in drug distribution in Whatcom
 11 County, appear to be connected to the MARTINEZ organization;
- 12 • MARTINEZ continues to visit OREIRO’s residence;
- 13 • TV2 visits MICHAEL LAMM, a known drug dealer;
- 14 • TV2 engages in counter-surveillance measures;
- 15 • TV2 visits the Tulalip Resort Casino, a location at which MARTINEZ has
 16 discussed conducting drug sales.

17 21. This information was determined based on the following information,
 18 which was gained via the GPS tracking device as well as in-person surveillance:

19 *TV1 is Driven by GARCIA MUÑOZ, Meets with TOLLIVER, Meets with Other Known*
 20 *Drug Dealers*

21 a. On February 16, 2022, agents saw TV1, believed to be driven by
 22 GARCIA MUÑOZ, depart GARCIA MUÑOZ’s residence on 18th Street in Mount
 23 Vernon. Investigators followed TV1 to the corner of North 26th Street and Kulshan
 24 Avenue, a location where MARTINEZ had previously met with TOLLIVER. They saw
 25 an unknown male standing next to the front passenger door of TV1 and stay for a short
 26 time before leaving and getting into the front passenger side of a Volkswagen compact
 27 sedan bearing Washington license plate BBT1251 (“the Volkswagen”). Agents followed
 28

1 the Volkswagen, took photographs of the vehicle occupants, and after reviewing the
 2 photos, determined that the passenger who briefly met with the driver of TV1 was
 3 TOLLIVER.

4 b. On February 16, 2022, agents saw TV1 arrive at GARCIA
 5 MUÑOZ's residence on 18th Street. Shortly thereafter, a white Cadillac sedan with no
 6 license plate arrived and parked at the residence. Agents had previously seen a white
 7 Cadillac sedan with no license plate at the residence of SHELIA ROCHELLE JOHNSON
 8 and BREZEDDRIC ANTOWYN JAMERSON on Oregon Place in Bellingham.
 9 JOHNSON and JAMERSON are known drug traffickers. Later in February 2022, the
 10 Lummi Police Department stopped JAMERSON while he was driving a white Cadillac
 11 sedan with no license plate and determined that the vehicle was stolen. During a
 12 subsequent inventory search, LPD found small amounts of cocaine.

13 c. On or about March 6, 2022, MARTINEZ was released from the
 14 Skagit County Community Justice Center, where he had been in custody on a charge of
 15 driving under the influence. Throughout March, TV1 was parked both at MARTINEZ's
 16 residence and at the residence of GARCIA MUÑOZ, among other locations.

17 d. On or about March 20th at approximately 2:00 a.m., TV1 drove 27
 18 miles to a convenience store in Bellingham located less than one mile from the
 19 TOLLIVER's residence. Due to the time of day and the numerous other convenience
 20 stores between MARTINEZ's residence in Mount Vernon and Bellingham, agents
 21 believe this travel was likely a delivery or pickup of drugs or money.

22 *TV2 Returns to OREIRO's Residence; Visits a Known Drug Dealer; Engages in Counter-*
 23 *Surveillance Measures; Visits the Tulalip Resort Casino*

24 a. In the evening of March 9, 2022, TV2 drove to OREIRO's residence
 25 on Robertson Road in Bellingham, where CS-2 had previously seen MARTINEZ in TV1
 26 with methamphetamine, cocaine, and pills.

27 ///

1 b. On March 14, 2022, TV2 drove from MARTINEZ's residence to a
2 rural residence on Guide Meridian Road in Lynden, Washington. Agents established
3 surveillance in the vicinity and saw TV2 driving southbound on Guide Meridian Road
4 into Bellingham until it parked at the Bellis Inn located at 3710 Meridian Street in
5 Bellingham. Agents saw MARTINEZ walk from TV2 into the Bellis Inn, which is
6 located next door to the Morning Glory Motel to which TV2 had driven in January.
7 Agents believe that MICHAEL LAMM lives at the Bellis Inn. Agents know from
8 reviewing Pen Register Trap and Trace data that both MARTINEZ and GARCIA
9 MUÑOZ are in communication with LAMM. LAMM is known by law enforcement in
10 Whatcom County to be a drug dealer who sells multiple types of drugs.

11 c. When MARTINEZ left the Bellis Inn he drove one block to a dental
12 clinic, got out of TV2, walked toward the dental clinic, stopped at the front door, turn
13 around, returned to TV2 and drove away. Agents believe that MARTINEZ was
14 conducting counter-surveillance measures in an attempt to detect the presence of law
15 enforcement.

16 d. Later that same day, TV2 drove to the Tulalip Resort Casino on the
17 Tulalip Reservation. Agents know that this is a common location for people to meet and
18 sell drugs, and that MARTINEZ has appeared to have conducted a drug transaction there
19 in the past. On or around October 24, 2021, user "highlife.1993" on Snapchat, a mobile
20 messaging application, sent a message to an account believed to be used by MARTINEZ
21 that said, "He said he'd go to the Tulalip Casino to meet you if you want ... for 2000 of
22 'em," likely discussing the sale of 2,000 fentanyl-laced pills. Agents reviewed GPS
23 tracking data from a tracking device installed on TV2 pursuant to a state warrant and saw
24 that TV2 had gone to the Tulalip Resort Casino a few days after the Snapchat
25 communication, on or about October 27, 2021.

26 e. In the early hours of March 16, 2022, GPS tracking data indicated
27 that the Tacoma drove back to OREIRO's residence on Robertson Road in Bellingham.

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CONCLUSION

22. As explained above, previously obtained tracking information has helped law enforcement confirm roles of members of the MARTINEZ organization, confirm patterns of travel and locations where drug sales may be occurring, and identified new individuals associated with the organization. I therefore respectfully submit there is probable cause to believe that MARTINEZ and others are using the Target Vehicles in furtherance of drug trafficking, including violations of Title 21 of the United States Code. Installing a tracking device and obtaining real time GPS tracking data on the location of the Target Vehicles is necessary and appropriate to aid the investigation of this drug trafficking organization. This Application is part of an ongoing investigation into the MARTINEZ organization and its associates, both known and unknown. "Real time" GPS data on the Target Vehicles used by MARTINEZ and others would assist investigators in identifying MARTINEZ's associates, their residences, and possibly any stash locations used by MARTINEZ. Investigators would be able to easily locate MARTINEZ in order to conduct surveillance of MARTINEZ, which could lead to identifying other co-conspirators and/or sources of supply. Accordingly, there is probable cause to believe that tracking this vehicle will reveal evidence, fruits, and instrumentalities of Title 21, United States Code, Sections 841, 846, and 843(b).

23. I respectfully request that the Court issue a warrant authorizing members of the DEA, or their authorized representatives, including but not limited to other law enforcement agents and technicians assisting in the above-described investigation, to install a tracking device in or on the Target Vehicles within the Western District of Washington within 10 days of the issuance of the requested warrant, and to remove said tracking device from the suspect vehicles after the use of tracking devices has ended; to surreptitiously enter the following locations where the Target Vehicles may be parked and/or move the Target Vehicles to effect the installation, repair, replacement, and removal of the tracking device; and to monitor the tracking device, for a period of 45 days following the issuance of the warrant, including when the tracking device is inside

1 private garages and other locations not open to the public or visual surveillance, both
2 within and outside the Western District of Washington:

3 a. The parking lot of 1628 North 26th Street in Mount Vernon,
4 Washington, an apartment complex;

5 b. The parking lot at 1400 North 30th Street in Mount Vernon,
6 Washington, a mobile home park;

7 c. The driveway of 210 South 18th Street in Mount Vernon,
8 Washington, a private residence; and

9 d. The public parking lot at 2405 East College Way in Mount Vernon,
10 Washington, Skagit Valley College.

11 24. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of
12 Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrant to
13 delay notice until 90 days after the collection authorized by the warrant has been
14 completed. This delay is justified because there is reasonable cause to believe that
15 providing immediate notification of the warrant may have an adverse result, as defined in
16 18 U.S.C. § 2705. Providing immediate notice to the person using the Target Vehicles
17 would seriously jeopardize the ongoing investigation, as such a disclosure would give
18 that person an opportunity to destroy evidence, change patterns of behavior, notify
19 confederates, and flee from prosecution. *See* 18 U.S.C. § 3103a(b)(1). There is reasonable
20 necessity for the use of the technique described above, for the reasons set forth above.
21 *See* 18 U.S.C. § 3103a(b)(2). Additionally, if necessary, I may request that the Court,
22 upon a showing of good cause, order a further delay of the time permitted to serve notice,
23 if necessary to protect the safety of any individual, avoid flight or destruction of
24 evidence, and ensure that the investigation is not jeopardized prior to its completion.

25 25. I further request that the Court authorize execution of the warrant (i.e.,
26 installation, monitoring, and removal) at any time of day or night, owing to the potential
27 need to locate the Target Vehicles outside of daytime hours.

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1 26. I further request that the Court order that all papers in support of this
2 application, including the Affidavit and Tracking Warrant, be sealed until further order of
3 the Court. These documents discuss an ongoing criminal investigation that is neither
4 public nor known to all of the targets of the investigation. Accordingly, there is good
5 cause to seal these documents because their premature disclosure may seriously
6 jeopardize that investigation.

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9 Kenneth Richardson
10 Special Agent
11 Drug Enforcement Administration

12 The above-named agent provided a sworn statement to the truth of the foregoing
13 affidavit by telephone on the 25 day of March, 2022.

14 

15 THE HON. BRIAN A. TSUCHIDA
16 United States Magistrate Judge
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ATTACHMENT A

This warrant shall authorize agents with the Drug Enforcement Administration and other law enforcement agents/officers/technicians working with them, to place an autonomous GPS tracking device on the vehicles described below (collectively “the **Target Vehicles**”):

a. Target Vehicle 1: a 2019 Toyota Tacoma bearing Washington license plate C88437V (hereinafter, “Target Vehicle 1” or “TV1”). According to the Washington State Department of Licensing (“DOL”), Target Vehicle 1 is registered to ENOC MARTINEZ LOPEZ (“MARTINEZ”)’s wife, ANJELICA J LOPEZ VILLESICA, at 1628 North 26th Street, Apartment 205 in Mount Vernon, Washington. Investigators believe that TV1 is being used by MARTINEZ and others to facilitate drug trafficking activities

b. Target Vehicle 2: a 2011 BMW 335 bearing Washington license plate CAK1127 (hereinafter, “Target Vehicle 2” or “TV2”). According to the DOL, Target Vehicle 2 is registered to ABIGAIL MARTINEZ LOPEZ, believed to be MARTINEZ’s sister, at 5424 57th Street Court West, Apartment 69, in University Place, Washington. Investigators believe that TV2 is being used by MARTINEZ and others to facilitate drug trafficking activities

Agents are authorized to:

a. install, remove, monitor, repair, or adjust an electronic tracking device on or within the vehicle at any time of the day or night;

b. if necessary to protect the safety of persons installing, removing, monitoring, repairing, or adjusting the electronic tracking device, or to protect the integrity of the investigation, surreptitiously enter the subject vehicle at any time of the day or night, and move the subject vehicle from one location to another for the purpose of installing, removing, monitoring, repairing, or adjusting the device;

c. surreptitiously re-enter the subject vehicle at any time of the day or night, for the purpose of installing, removing, monitoring repairing, or adjusting the device;

d. continuously monitor any and all signals emitted from the device, including when the vehicle enters any structure or private property in which there may be a reasonable expectation of privacy; and

e. move one or more tracker back and forth between Target Vehicles during the authorized tracking period as surveillance suggests would be most productive, with “execution” of the warrant having been accomplished if at least one tracker is installed on one **Target Vehicles** within ten days of issuance of the warrant.

Private Property

In addition to entering the **Target Vehicle**, Agents may surreptitiously enter all driveways, roadways, parking areas (including any enclosed garage structure), and other places where the **Target Vehicle** may be parked at the following locations, in order to access the above-described vehicle pursuant to the warrant, at any time of the day or night:

- a. The parking lot of 1628 North 26th Street in Mount Vernon, Washington, an apartment complex;
- b. The parking lot at 1400 North 30th Street in Mount Vernon, Washington, a mobile home park;
- c. The driveway of 210 South 18th Street in Mount Vernon, Washington, a private residence; and
- d. The public parking lot at 2405 East College Way in Mount Vernon, Washington, Skagit Valley College.

This authorization continues in any jurisdiction where the **Target Vehicles** may move for a period not to exceed forty-five (45) days.